

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2250 OF 2006 **Single Bench**

PETITIONER:

✓ R.P. Shukla, S/o- Late Shri Ramapati Shukla , About- 41 Years, Occupation- Chief Executive Officer (Suspended) Janpad Panchayat Patthalgaon, R/o- Block Colony Patthalgaon, Distt.Jashpur (C.G.)

VERSUS

RESPONDENT (S):

1. State of Chhattisgarh
Through it's Secretary
Department of Adim Jati Anusuchit
Jati Vikas , D.K.S. Bhawan Raipur
(C.G.)
2. Joint Secretary
Department of Adim
- Jati Anusuchit Jati Vikas , D.K.S.
Bhawan Raipur (C.G.)
3. Under Secretary
Department of Adim
✓ Jati Anusuchit Jati Vikas , D.K.S.
Bhawan Raipur (C.G.)
4. Collector
✓ Distt.Jashpur (C.G.)

P.N. No. 2285/06
Presented by Kinney Pandey
dated 28/4/06

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WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE
WRIT IN THE NATURE OF MANDAMUS / CERTIORARI ETC. OR
DIRECTION / ORDER IN THE LIKE NATURE.

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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 2250 OF 2006

Petitioner : R.P. Shukla

versus

Respondents : State of Chhattisgarh and others

Present : Shri Vinay Pandey, counsel for the petitioner.

ORAL ORDER

(3rd May, 2006)

1. This petition challenges the order dated 12/19.4.2006 (Annexure P/8) in Appeal No. F 2-28/2005/25-3 passed by the Secretary, Government of Chhattisgarh, Scheduled Caste and Scheduled Tribe Welfare Department against the order dated 20.9.2005, whereby the petitioner was placed under suspension.
2. Learned counsel appearing for the petitioner submits that the appellate authority has not considered all the submissions and facts and circumstances of the case, while dismissing the appeal. Be that as it may, the suspension is not a penalty in nature. The suspension order was passed, pending the enquiry against the petitioner.
3. Having regard to the facts and circumstances of the case, it is not desirable to interference at this stage, when the departmental enquiry is pending against the petitioner.
4. The petition is accordingly dismissed. However, the enquiry officer is directed to complete the departmental enquiry as expeditiously as possible, preferably, within a period of three

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months. The observations made by the appellate authority in order dated 12/19.4.2006 will not come in the way of the departmental enquiry and the enquiry officer is expected to conduct the departmental enquiry fairly, honestly and objectively, without being influenced by any of the observations made by the appellate authority.

Sd/-
Satish K. Agnihot
Judge

Bablu

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